

In the United States District Court
For The Eastern District of Wisconsin

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Michael A. Lee Jr.

Plaintiff

VS.

Correctional Officer Gina Ambasan; In her individual and official capacity; (Racine Correctional Institution) Warden: Jason Wells, Chief Director: Kevin Carr, Security Director: Jason Aiduna, All of Department of Corrections and In their ~~own~~ ^{official} Capacities and Individually
Defendants

2022 AUG 12 P 2:10

22-C-0930

I. Jurisdiction & Venue

- 1.) Plaintiff brings this lawsuit pursuant to 42 U.S.C § 1983. This Court has Jurisdiction under 28 U.S.C §§ 1331 & 1343 (a) (3).
- 2.) Venue is the United States District Court for the Eastern District of Wisconsin is proper pursuant to U.S.C § 1391 (b)
- 3.) Plaintiff certifies and verifies this Complaint.

PARTIES/PLAINTIFF

- 4.) Plaintiff Michael A. Lee Jr. was at all times mentioned in this Complaint, A prisoner of the State of Wisconsin in the physical custody of Wisconsin Department of Corrections (D.O.C). He is currently confined at the Wisconsin - Redgranite Correctional Institution (RGC1) located at: 1006 County Rd EE, (P.O. Box 925), Redgranite, Wisconsin 54970

DEFENDANTS

- 5.) Defendant-Gina Ambasan is a correctional officer at the Racine Correctional Institution
Defendant-Jason Wells is the Warden at Racine Correctional Institution. He is legally and fully responsible for the daily operations, and for the welfare of all inmates and staff at Racine Correctional Institution

- 6.) Defendant Kevin Carr is chief Director at Racine Correctional Institution
- 7.) Defendant Jason Aidana is Security Director at Racine Correctional Institution
- 8.) Each defendant¹⁵ sued individually and in their official capacity.

At all times mentioned in this Complaint each defendant acted under the color of the^{state} law at all times relevant to this Complaint

STATEMENT OF FACTS

- 9.) Plaintiff Michael A. Lee Jr. claims that the individuals who are named in this Complaint are employed by the State of Wisconsin and The Department of Corrections, Violated his Eighth Amendment and state law rights by being deliberately indifferent and negligent when "Government official" Gina Ambasan Sexually Assaulted him while being employed by the Government and while being on duty as a Government official, while using force constitutes as maliciously and sadistically for the purpose of causing harm without any legitimate penological purpose "Unjustified Force" is sexual assault of an inmate. Plaintiff also alleges that the Department of Corrections and other defendants named above is held responsible for failing to train and supervise Ambasan and to adopt necessary procedures to prevent her sexual assaults, sexual harassment
- 10.) Plaintiff Michael A. Lee Jr. seeks to pursue the above mentioned defendants on claims of deliberate indifference, state law negligence to the risk of sexual assault of inmates by jail employee or person for prison official

Factual Allegations:-

- 11.) On or about Jan. 2018 plaintiff arrived at the Racine Correctional Institution
- 12.) on about Feb. 2018 plaintiff was placed permanently in Max unit, Kenosha (East)
- 13.) Shortly after arriving to Kenosha unit plaintiff was employed as the Kenosha unit Aid, And eventually switched to 3rd shift Janitor position.
- 14.) On or about April of 2018 plaintiff was placed on Kenosha West for job placement.
- 15.) Plaintiff then encountered Correctional officer Gina Ambasan who periodically worked the Kenosha unit post or yard officer or other assigned other officers.

- 16.) Officer Gina Ambasan began to make sexual comments and gestures towards plaintiff Michael A. Lee Jr. About his penis and suggesting she could please him sexually.
- 17.) Defendant Ambasan then conducted routine pat searches on the unit and outside track.
- 18.) As to claim in paragraph 17.) Defendant conducted inappropriate pat searches while groping and touching and squeezing the plaintiffs testicles and behind.
- 19.) On or about 8/22/2018 Defendant Gina Ambasan gives plaintiff her personal phone number to call.
- 20.) Over the next few months, phone calls were recorded with officer Gina Ambasan having phone sex with plaintiff Michael Lee Jr.
- 21.) As to claims in paragraph 20.) officer Gina Ambasan began to promise and or bribe plaintiff Michael A. Lee Jr. to keep quiet about the acts committed.
- 22.) As to claim 21.) Correctional Officer Gina Ambasan began to sexual Assault plaintiff by performing oral sex for Birthday gifts and demanded sexual favors of foreplay and oral sex on her as well.
- 23.) On or about Sept. 2018 Defendant Gina Ambasan Wires "Hush" Money to plaintiffs mother "Dana Smith" by using Walmar's Money Gram system for increments of \$300.00
- 24.) Defendant continued to sexually assault plaintiff periodically throughout his incarceration at Reine Correctional Institution until plaintiffs release of May ~~25th~~^{19th} 2020
25. As to claim 24.) Defendant instructs plaintiff to go to his assigned Cell during her security check A.K.A "Rounds" and demanded to see plaintiffs body parts (including the penis). These particular actions continued for months according or based upon her assigned post.
- 26.) As to claim 25.) Defendant officer Gina Ambasan gives inmate Michael A. Lee Jr. a direct order to pull out his penis and she began to massage and squeeze his testicles in a harmful manner demanding inmate Michael Lee to remain quiet.
- 27.) On or about 9/28/19 defendant performed oral sex on plaintiff while squeezing his testicles in a gruesome manner demanding the plaintiff to keep his mouth shut

B. Issue an injunction ordering the Department of Corrections To:

1. admit and file charges to the District Attorney for involved defendant who committed a Criminal offense while acting within the scope of her employment

C. Award ~~compensatory~~ ^{Punitive, compensatory} damages to the following amounts:

1. \$ 150,000.00 each against All defendants

2. 2 Million dollars from the Department of Corrections.

D. Grant such other relief as it may appear plaintiff is entitled

E. Order defendants to pay reasonable attorney fee's and cost.

Jury Demand:

Yes I would like my case to be heard by a Jury.

I respectfully declare under penalty of perjury that the
~~foregoing~~ foregoings are true and correct

Complaint Signed this 21th Day of July 2022

Respectfully Submitted

Michael A. Lee Jr. #505955

Redgranite Correctional Institution

P.O. Box 925

Redgranite WI 54970

